

At a term of the Family Court of the
State of New York, held in and for the
County of _____,
at _____ New York,
on _____, _____.

PRESENT:

Hon.
Judge

In the Matter of

Docket No.

A Person Alleged to be a
Juvenile Delinquent,

ORDER
DETERMINING
CAPACITY
AFTER PRIOR
COMMITMENT

Respondent.

A petition pursuant to section 322.2 of the Family Court Act, sworn to on _____,
having been filed in this Court in the above-entitled proceeding, alleging that Respondent
is no longer an incapacitated person as defined in subdivision (3) of section 301.2 of the Family
Court Act; and

Notice having been duly given to Respondent, Respondent's parent (s) the
person legally responsible for the child's care, counsel for the Respondent, the
Commissioner of Mental Health the Commissioner of Mental Retardation and
Developmental Disabilities Mental Hygiene Legal Services; and

The matter having thereafter duly come on for a hearing before the Court, and the
Court having made an examination and inquiry into the facts and circumstances of the case, it
is hereby

ADJUDGED that Respondent (is) (is not) an incapacitated person as defined in subdivision (13) of section 322.2 of the Family Court Act; and it is hereby

[Delete where inapplicable.]

(ORDERED that Respondent be returned to the Commissioner of

.)

(ORDERED that Respondent be returned to the Court for further proceedings pursuant to article 3 of the Family Court Act upon the petition filed in this court on , praying that Respondent be adjudged a juvenile delinquent.)

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Dated: , .

ENTER

Judge of the Family Court

Check applicable box:

- Order mailed on [specify date(s) and to whom mailed]: _____
- Order received in court on [specify date(s) and to whom given]: _____